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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 SERGIO L. RAMIREZ, on behalf of
21 himself and all others similarly situated,

22 Plaintiff,

23 v.

24 TRANS UNION, LLC,

25 Defendant.

Case No. 12 cv-00632-JSC

Class Action

DECLARATION RE ERRATA TO
PLAINTIFF'S OPPOSITION TO
TRANS UNION'S MOTION TO
DISQUALIFY COUNSEL

Date: March 13, 2013

Time: 9:00 a.m.

Place: Courtroom F

26 I, Andrew J. Ogilvie, declare as follows:

27 1. This is to correct a misstatement that I made in the opposition brief
28 that I filed on February 6, 2013. (Document39) At page 6 of the brief (Page10 of

1 24) I said that Mr. Anderson posted his blog entry on November 23, 2012. That
2 was wrong. As I now understand it, Mr. Anderson prepared an initial draft of his
3 blog entry on November 23, 2012, but did not post it. Dilworth's article appeared
4 in CreditCards.com on December 6, 2012. Dilworth emailed to me a link to the
5 article. I showed Mr. Anderson the article on CreditCards.com's website. He liked
6 it and used some of Dilworth's language to revise his blog entry, which he posted
7 on our credit law website on December 7, 2012.

8 2. When I drafted our opposition brief, I thought the chronology was as
9 it appears from the dates on the blog entry and as stated in Trans Union's motion. I
10 did not question Mr. Anderson closely on that point. I learned that I was mistaken
11 about the chronology when Daniel Ray, a senior editor at CreditCards.com, called
12 me recently. He was very upset because Trans Union's lawyers had told him that
13 his journalist, Kelly Dilworth, had plagiarized from the AOB blog. He said Trans
14 Union's lawyers sent him a copy of its motion to disqualify our law firm. I put him
15 in touch with Mr. Anderson, who reviewed his blog entry, the article and clarified
16 the chronology of events. Mr. Anderson's declaration is filed herewith.

17 3. My law firm is responsible for whatever it publishes on the AOB
18 blog, whether we wrote it or used someone else's language. Nothing in the blog is
19 inaccurate, false or misleading. In that regard, this factual correction does not
20 change the analysis at all. However, this factual correction is relevant to Trans
21 Union's claim that AOB's blog was the catalyst for the CreditCards.com article.
22 Because Mr Anderson did not post the blog entry until after Dilworth published her
23 article on CreditCards.com, the blog could not have caused her to write the article.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Executed on March 5, 2013 at San Francisco, California

26 /s/ Andrew J Ogilvie

27 Andrew J Ogilvie